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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/612,009 | 07/07/2000 | Gordon Ray Nelson | 254/139 P00-0016 | 7645 |
| 34055 | 7590 | 10/24/2003 | EXAMINER | |
| PERKINS COIE LLP POST OFFICE BOX 1208 SEATTLE, WA 98111-1208 | | | BRAHAN, THOMAS J | |
| | | | ART UNIT | PAPER NUMBER |

3652

DATE MAILED: 10/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

SW

Office Action Summary

Application No.

09/612,009

Applicant(s)

NELSON ET AL.

Examiner

Thomas J. Brahan

Art Unit

3652

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-6, 10 and 15-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 22 is/are allowed.
- 6) ☒ Claim(s) 1, 15, 16, 18, 19, 23, 24, 28 and 29 is/are rejected.
- 7) ☒ Claim(s) 2-6, 10, 17, 20, 21 and 25-27 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

1. The following is a quotation of the second paragraph of 35 U.S.C. § 112:
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which applicant regards as his invention.
2. Claim 23 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In line 6, the term "the pod" lacks antecedent basis within the claim.
3. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. § 103, the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 C.F.R. § 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of potential 35 U.S.C. § 102(f) or (g) prior art under 35 U.S.C. § 103.
4. Claims 1, 15, 18, 19, 23, 24, 28, and 29 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mages et al in view of Tateyama et al. Mages et al shows a system for loading and unloading wafer processing installations, comprising:

a work-in-progress space (the area roughly about level 9 shown in figure 1; note the term "work-in-progress space" fails to define anything other than a space) at a first elevation and having multiple positions for holding batches of flat media (as it holds stacked containers);

a docking station (at opening 13) at a second elevation higher than the first elevation;

a container door remover (16) at the docking station; and
a transfer station (at 22).


Mages et al shows only the loading part of the wafer processing installation and does not specify what processes are at the installation or that a process robot moves the wafers from the transfer station to the process chamber. Tateyama et al shows a similar processing installation with a process robot (110) moving the wafers from its transfer station (120) to its process chambers including spinning and spraying stations. It would have been obvious to one of ordinary skill in the art to use the loading station of Mages et al with a processing arrangement which uses a process robot to bring the wafers to the processing chambers, as taught by Tateyama et al. Mages et al has a transfer robot (22) at the transfer station, as recited in claim 15. As the cassettes are stacked on the platforms (7) of Mages et al, the platforms form a indexer, as broadly recited in line 2 of claim 18. The platforms (7) of Mages et al are engager plates (engaging the cassettes) supported on their elevating means, as recited in claim 19. Mages et al has a container docking wall (vertical sliding wall 11) at a higher elevation than the first elevation (at 9) as recited in claims 24 and 28.

5. Claims 1, 15, 16, 18, 19, 23, 24, 28, and 29 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tateyama et al in view of Mages et al. Tateyama et al shows several arrangements for processing wafers which each have a process robot (110) moving from a loading/unloading station (120) to processing sections which include spin and spray processing chambers. It varies from the claims by not having an elevator at the loading/unloading station as to raise the wafer containers from an initial elevation to a docking station having a container door remover. Mages et al shows a station with an initial elevation (at 9) for loading an elevator that raises the containers to a docking station with a door remover, as discussed above. The lower initial elevation is easier for loading the cassettes, see the Abstract. It would have been obvious to one of ordinary skill in the art to modify the wafer processing arrangement of Tateyama et al by providing its unloading station with an elevator for raising the containers during loading from a lower position to a docking station with a door remover, for ergonomic reasons, as taught by Mages et al. Tateyama et al has a transfer robot (121) at the transfer station and Mages et al has a transfer robot (22) at its transfer station, as recited in claims 15 and 29. Figure 7 of Tateyama et al shows the transfer robot (121) moving wafers from a container (122) at the docking station to carriers (123), as recited in claim 16. As the cassettes are stacked on the platforms (7) of Mages et al, the platforms form a indexer, as

broadly recited in line 2 of claim 18. The platforms (7) of Mages et al are engager plates (engaging the cassettes) supported on their elevating means, as recited in claim 19. Mages et al has a container docking wall (vertical sliding wall 11) at a higher elevation than the first elevation (at 9), as recited in claims 24 and 28.

6. Claims 22 is allowable. Claims 2-6, 10, 17, 20, 21, and 25-27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Applicant's remarks in the amendment filed with the RCE have been considered but are deemed moot in view of the above new rejections. An inquiry concerning this action should be directed to Examiner Thomas J. Brahan at telephone number (703) 308-2568 on Mondays through Fridays from 9:30-7:00 EST. The examiner's supervisor, Ms. Eileen Lillis, can be reached at (703) 308-3248. The fax number for Technology Center 3600 is (703) 305-7687.


THOMAS J. BRAHAN
PRIMARY EXAMINER